

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13994, of Baltimore Orioles, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.48 for a proposed addition to an existing hotel in an SP-2 District at premises 1200 16th Street, N.W., (Square 182, Lots 58, 59 and 826).

HEARING DATE: July 20, 1983
DECISION DATE: September 7, 1983

FINDINGS OF FACT:

1. The subject property is located at the northwest corner of the intersection of 16th Street and M Streets, N.W., and is known as premises 1200 16th Street, N.W. It is zoned SP-2.

2. The subject site is rectangular in shape and has a lot area of 15,830.75 square feet.

3. The subject site is improved with an eight-story structure, known as the Jefferson Hotel, which was constructed in approximately 1923. At the rear of the eight-story hotel structure is a thirty-seven foot, one-story addition which houses the existing kitchen facilities for the hotel. Immediately to the north of the subject site are two four-story townhouse type structures at 1212-1214 16th Street. In BZA Order No. 13457, dated August 3, 1981, the Board approved expansion of the existing hotel use into those structures. The structures are currently being renovated for that hotel use.

4. The subject site is located within the Central Employment Area. All abutting property is proposed for or now in non-residential use. The property on the west of the subject site, known as the Sumner-Magruder School site, contains historic structures proposed to be redeveloped along with the addition of new construction pursuant to an approved planned unit development. To the south of the subject site, across M Street, are the offices and libraries of the National Geographic Society. To the north of the subject site are several townhouse type, lower scale buildings now used as professional offices. Further to the north is the high-rise office structure of the National Rifle Association.

5. The subject vicinity has a mixture of hotel, office and residential uses. There is a 550-unit apartment house in the adjacent block to the east as well as scattered residential use within a two block radius. Other hotels in the area include the Gramercy Inn in the northern half of the subject square, the Holiday Inn at 17th Street and Rhode Island Avenue and the small facility known as the Dolly Madison Inn, one block east of the subject site on M Street.

6. In Application No. 13457, in which expansion of the function rooms and guest rooms in the Jefferson Hotel was approved by the Board, the Board noted that such expansion improved the overall balance of uses in the vicinity of the subject site. The Board further found that approval of the hotel expansion then requested did not exacerbate the imbalance of existing office use and was consistent with the intent of Paragraph 4101.48 of the Zoning Regulations. The hotel presently contains ninety-one guest rooms and twenty-nine suites. No additional guest rooms or suites are proposed by this application.

7. The applicant proposes to extend the existing one-story kitchen area at the rear of the eight-story section of the hotel approximately twenty-two feet to the south and approximately 41.5 feet to the north.

8. The proposed extension to the south of the existing kitchen will allow the enclosure of the existing trash area. The northern extension will allow for the expansion and modernization of the existing kitchen. Trash is presently set out for pick-up in dumpsters located on an open area of a lot owned by the applicant on the west side of the alley.

9. The proposed two part addition will match the height and surface treatment of the existing one-story kitchen wing. The surface material will be brick, which is the material facing the rear portion of the eight-story section of the Jefferson Hotel and which is the building material of the four-story section of the Jefferson Hotel at premises 1212-1214 16th Street. Brick is the building material of the abutting property to the north which is a two-story townhouse type structure now in professional office use.

10. The applicant stated that the prevailing design character of the square will not be changed, insofar as the application involves minor additions to the rear of existing buildings along the alleyway and matches the predominant building material of structures facing on the alley. The project architect for the applicant stated that the height, bulk and design of the proposed expansion area are thus in harmony with the existing uses of the area. The Board so finds.

11. The minor expansion of the kitchen wing of the hotel will not change the existing balance of residential, office, hotel or inn use in the SP district in the vicinity of the subject site.

12. The gross floor area of the hotel devoted to function rooms and exhibit space shall not increase as a result of this application. The existing function and exhibit space does not exceed fifteen percent of the gross floor area of the hotel including the proposed area of expansion.

13. The applicant testified that the proposed addition will create no need for additional off-street parking spaces or loading berths than presently exist on the site. The applicant testified that the hotel is primarily a residential-type rather than a convention-type hotel and guests arrive via public transportation for the most part. Valet parking for those guests requiring overnight parking is provided. That parking is accommodated at the nearby Gramercy Inn. Hotel staff also use public transportation or are accommodated at the Gramercy Inn parking lot off the site. Two parking spaces located at the rear of 1212-1214 16th Street are not used by the hotel due to the risk of theft or vandalism. Loading and delivery facilities located at the southwest corner of the existing hotel adjacent to the alley will remain and be improved. The Board accordingly finds that no additional parking spaces or loading berths are required.

14. There are curb cuts at the front on the 16th Street entrance of the hotel, for the purpose of dropping off guests. Loading activities occur at the rear of the property at the east side of the alley which runs north and south and is entered from M Street, N.W. No additional curb cut is proposed. The applicant testified that even with the proposed addition to the south of the existing kitchen wing, a sufficient area for service van deliveries exists on the east side of the alley and that no change in the circulation elements is required to avoid unduly impacting parking or traffic on the surrounding streets.

15. The proposed addition extends the existing plane of the kitchen addition to the north and south and results in a more efficient kitchen layout and the enclosure of the trash handling area. The proposed expansion of the kitchen area is surrounded by a surface parking area and alleyway, adjoins properties in non-residential use and is not visible from the 16th Street frontage. The kitchen additions are not anticipated to generate any more traffic or parking needs than the present operation.

16. The record contains a letter from the developers of the Sumner-Magruder PUD project indicating no objection to the granting of the subject application.

17. A representative of the National Rifle Association a major user of the north-south alley which abuts the subject property, appeared at the public hearing in support of the application subject to the applicant's agreement to comply with the following conditions:

- a. No loading, unloading or similar activities shall take place in or from the expanded kitchen or kitchen support areas, the new trash room (other than the removal of trash or refuse by means of a dumpster), or any other part of the one-story addition, which directly or indirectly affects the adjacent north-south public alley except for those activities which take place in or from the existing loading berth.
- b. The removal of trash or other refuse from the trash room on weekdays shall not take place between the hours of 7:00 A.M. and 6:00 P.M. No limitation on such operations shall apply during weekends or holidays.
- c. No doors to the trash room or other openings in the one-story structure adjacent to the public alley shall project on or over the public alley at any time.
- d. During construction of the expanded kitchen, the new trash room and adjacent improvements, the applicant shall place or store all construction equipment or supplies on the subject premises and require its contractor to deliver all construction goods and materials to the job site and construct the addition without obstructing the public alley.

The applicant testified that it would comply with those requested conditions. In addition, the Board will require the door to the trash storage area to face south onto a paved area of the subject lot, not west onto the alley. This will allow trash to be collected without blocking the alley.

18. A resident of the Dupont Circle area appeared at the public hearing in opposition to the application. The opposition was based on the following:

- a. The width of the existing north-south alley is only ten feet. Testimony by the traffic consultant in Zoning Commission Case No. 82-14C and by the Department of Transportation in Zoning

Commission Case No. 82-5 indicate that a twenty-foot wide alley is preferable with respect to traffic efficiency considerations.

- b. The mechanical equipment located on the roof of the one-story kitchen and the proposed addition creates "clutter."
- c. Traffic patterns in the alley will be complicated by the hotel and the proposed Sumner-Magruder development, which may create too many curb cuts, too close together.
- d. The loading and delivery arrangements may not be sufficient for potential users of the building.

The opposition recommended that the Board require the applicant to redesign the proposal to allow for the dedication of five feet of its property for the purpose of widening the alleyway and to render the existing kitchen and proposed extensions more aesthetically appealing when viewed from the proposed development on the Sumner-Magruder site.

19. Advisory Neighborhood Commission 2B, by letter dated July 5, 1983, indicated its support of the application based on the proposed enclosure of the trash area. The Board is required to give "great weight" to the written concerns of the Advisory Neighborhood Commission. The Board concurs with the assessment of the ANC that the removal of the trash storage area from the open area of the lot across the alley to the west and the inclusion of a trash storage area in the proposed addition will result in an improvement of the existing trash handling situation.

20. The Office of Planning, by report dated July 11, 1983, recommended approval of the application subject to the condition that the door to the trash room be designed so as to open toward the inside of the structure rather than into the public alley. It was the opinion of the Office of Planning that the applicant has shown substantial compliance with the provisions of Paragraph 4101.48 of the Zoning Regulations. The Board concurs with the findings of the Office of Planning. The Board notes that the plans as revised, to be approved by condition herein, provide for a roll-up door that faces south away from the alley.

21. Upon consideration of the concerns expressed by the opposition, the Board finds that in connection with the Sumner-Magruder School development, the alley will be effectively widened by easement to a width of fifteen feet. The Board further requested that the applicant undertake additional architectural studies in order to more fully address the concerns of the opposition and the conditions

recommended by the National Rifle Association and the Office of Planning.

22. The applicant submitted supplemental plans and materials as requested by the Board on August 3, 1983. The supplemental submissions included amended plans and materials showing the addition of a protective device to ameliorate damage to the wall of the subject building from vehicles loading at the Sumner-Magruder PUD site; the location of a TV monitor camera on the fire egress corridor; the location and present and proposed dimensions of the loading area; an engineering analysis of re-using the existing chimney in lieu of the addition of a new metal fire; cosmetic treatment of all existing and proposed metal flues; alternative plans for location of trash doors and treatment of metal rolling door; roof top screening and "line-of-sight" analysis; an elevation showing the full height of both sections of the hotel and the kitchen addition; analysis of feasibility of additional curbing on the south edge of the loading ramp and a proposal to remove a portion of the existing raised curb along the edge of the alley to facilitate maneuvering into the loading area; and verification of the width of the alley.

23. Upon review of the applicant's supplemental submissions, the Board finds that the cosmetic treatments proposed by the applicant sufficiently address the concerns raised by the Board and the opposition as to the aesthetic impact of the proposed addition.

24. The Board further finds that the location of the trash rooms doors on the south facade, painted to match the color of the adjacent masonry, is preferable to the location of the doors on the west side adjacent to the alley. This location will prevent adverse effect on traffic flow in the alley during the times required for trash pick-up. Proper treatment of the rolling metal doors will not create an undesirable visual impact on its facade as seen from M Street.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted the requested relief, the applicant must demonstrate substantial compliance with the requirements of Paragraph 4101.48 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The height, bulk and design of the proposed addition are in harmony with the existing uses and structures on neighboring properties. As herein-after conditioned, the design, screening and landscaping of the proposed addition will be adequate to protect neighboring property. There will be no change in the existing balance

of residential, office and hotel or inn use in the vicinity of the subject site. There will be no increase in the gross floor area of the hotel devoted to function rooms and exhibit space. The subject hotel is located within the Central Employment Area. The existing number of parking spaces and loading berths are sufficient to accommodate the activities of the hotel without unduly impacting parking or traffic on surrounding streets. As hereinafter conditioned, there will be no dangerous or otherwise objectionable traffic impacts created by the location and design of access roads, driveways and other circulation elements of the hotel.

Further, the Board concludes that granting of the special exception requested to allow such expansion of the hotel is in harmony with the general purpose and intent of the Zoning Regulations and maps and will not tend to adversely effect the use of neighboring property in accordance with the Zoning Regulations. The Board concludes that it has accorded to the Advisory Neighborhood Commission the "great weight" to which it is entitled.

Accordingly, the application is hereby GRANTED, SUBJECT to the following CONDITIONS:

1. Approval shall be in accordance with the revised plans marked as Exhibits No. 27a and 27b of the record.
2. The steel roll-up door leading from the loading area to the kitchen shall face south towards M Street and shall be painted to match the facade of the structure.

VOTE: 5-0 (Lindsley Williams, Carrie L. Thornhill, William F. McIntosh, Douglas J. Patton and Charles R. Norris to grant).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: OCT 17 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS
AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH
PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE
OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND
REGULATORY AFFAIRS.

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